

LABOR AND EMPLOYMENT LAW SECTION
STATE BAR OF CALIFORNIA

2006 COMPETITION
For Outstanding Student Papers
In the Area of Labor and Employment

The Labor and Employment Law Section of the State Bar of California is pleased to announce its 2006 Competition for Outstanding Student Papers in the Area of Labor and Employment law.

PRIZES

FIRST PRIZE

\$3,000, an all-expense paid trip from any California location for the student winner to attend the Section's Annual Fall Meeting, and a one-year student membership in the Labor and Employment Law Section. The first prize paper will be published in the California Labor and Employment Law Review, the Section's journal, which is circulated to labor and employment lawyers statewide.

SECOND PRIZE:

\$2,000 and a one-year student membership in the Labor and Employment Law Section.

HONORABLE MENTION:

\$1,000 and a one-year student membership in the Labor and Employment Law Section.

All eligible law students who enter the writing competition will receive a one-year student membership in the Labor and Employment Law Section. Membership includes a subscription to the California Labor and Employment Law Review as well as a free searchable CD-ROM containing past issues of the Review.

CONTEST RULES

TOPICS: PLEASE SELECT ONE FROM BELOW

1. Under California law, absent an express or implied contract to terminate only for cause, employment is statutorily presumed to be "at will." (See Cal. Lab. Code § 2922.) Should California change this approach by enacting a "just cause" statute?
2. The Gender Non-Discrimination Act of 2003 amended California's Fair Employment and Housing Act to explicitly include transgender individuals. (See Cal. Gov't Code § 12926(p) and Cal. Pen. Code § 422.56). In *Smith v. City of Salem*, 378 F. 3d 566 (6th Cir. 2004), a federal court analyzed Title VII of the Civil Rights Act to include protection for transgender people under sex discrimination provisions. Discuss the differences between California and federal protections for transgender individuals who bring employment discrimination claims.

3. Should an employer be able to use increased compensation (wages) to reimburse an employee for work-related expenses as had been found in *Gattuso v. Hart-Hanks Shoppers, Inc.*, No. S139555 (review granted Feb. 22, 2006) (previously published at 133 Cal. App. 4th 985 (2005)). If so, what is a fair method for determining whether the employee has been fully compensated for his or her expenditures or losses as required by Cal. Lab. Code §§ 2802 and 2804?

ELIGIBILITY

To be eligible for consideration, the paper must be written solely by a student enrolled in a California law school at the time he or she writes the paper.

SUBMISSION

Submit your paper by e-mail attachment in Word or WordPerfect formats to Section Coordinator Edward Bernard at Edward.Bernard@calbar.ca.gov. Papers must be e-mailed on or before July 1, 2006. Please also attach a cover letter verifying your law school enrollment and authorizing the Section to publish your paper in the California Labor and Employment Law Review if it is declared the winner. Please follow the citation style of *The Blue Book: A Uniform System of Citation*. Papers should be no longer than 2,500 words.

JUDGING

The papers will be judged on the quality of legal research, writing and analysis. The decision of the judges is final. Papers must be of publishable quality, and the Section reserves the right not to award any prizes, if, in the sole opinion of the judges, none of the papers is of publishable quality or meet the standards set forth above.

For information about the Labor and Employment Law Section see:
www.calbar.org/laborlaw